

REMARKS

Claims 1-13 are cancelled without prejudice. New claims 14-21 are added. No new matter has been introduced as a result of these amendments. Claims 14-21 are currently pending in the application.

The Examiner objected to the drawings under 37 CFR 1.83(a) because the drawings did not depict the electronic structure and amplifier included in claims 4, 9 and 13. The Examiner rejected claims 4, 9 and 13 under 35 U.S.C. § 112, first paragraph, because the “electronic structure for preventing charge from passing to an amplifier” was not described in the specification or shown in a drawing. This objection and rejection is now moot in light of the cancellation of claims 4, 9 and 13.

The Examiner objected to the numbering of the claims based on 37 C.F.R. 1.126. The Examiner rejected claims 1-5 and 9, 10, 11, 12 and 13 under 35 USC § 102(b) as being anticipated by Dennis (US 2002/0114526). The Examiner rejected claims 6 and 7 under 35 USC § 103(b) as being unpatentable in view of Dennis (US 2002/0114526). The objection and rejections are now moot in view of the cancellation of claims 1-13.

With respect to the new claims 14-21, Dennis does not anticipate Applicant’s independent claims 14 and 19 because Dennis does not teach each and every element in the independent claims. Dennis does not disclose “an opaque plate covering at least a portion of the photosensitive sites in the non-active area, wherein the opaque plate includes one or more openings positioned at predetermined locations over respective photosensitive sites in the non-active area to form a unique pattern that is associated with the image sensor,” as claimed in claim 14. Dennis also does not teach “a drain formed adjacent a column of photosensitive sites in the non-active area” and “a barrier disposed between the drain and the column of photosensitive sites, wherein the barrier includes an opening positioned at a predetermined location with respect to the column of photosensitive sites such that charge generated by at least a portion of the photosensitive sites in the column of photosensitive sites is transferred to the drain

to create a partially dead column of photosensitive sites, and wherein the predetermined location provides a unique identifier that is associated with the image sensor,” as recited in claim 19. Applicant therefore submits independent claims 14 and 19 are not anticipated by Dennis.

“Claims in dependent form shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim.” 37 CFR § 1.75. Claims 15-18 depend from and include all of the limitations of independent claim 14. Claims 20 and 21 depend from and include all of the limitations of independent claim 19. For at least the reasons discussed above, Dennis does not anticipate independent claims 14 and 19. Accordingly, dependent claims 15-18, 20 and 21 are also not anticipated by Dennis.

Additionally, Dennis does not render Applicant’s independent claims 14 and 19 obvious because Dennis does not teach or suggest all of the claim limitations in these claims. Dennis does not teach or suggest “an opaque plate covering at least a portion of the photosensitive sites in the non-active area, wherein the opaque plate includes one or more openings positioned at predetermined locations over respective photosensitive sites in the non-active area to form a unique pattern that is associated with the image sensor,” as claimed in claim 14. Dennis also does not teach or suggest “a drain formed adjacent a column of photosensitive sites in the non-active area” and “a barrier disposed between the drain and the column of photosensitive sites, wherein the barrier includes an opening positioned at a predetermined location with respect to the column of photosensitive sites such that charge generated by at least a portion of the photosensitive sites in the column of photosensitive sites is transferred to the drain to create a partially dead column of photosensitive sites, and wherein the predetermined location provides a unique identifier that is associated with the image sensor,” as recited in claim 19. Applicant therefore submits independent claims 14 and 19 are not obvious in view of Dennis.

“If an independent claim is not rendered obvious by prior art, then any claim depending from the independent claim is not obvious.” In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988) (see also M.P.E.P. § 2143.03). Claims 15-18

depend from independent claim 14 while claims 20 and 21 depend from independent claim 19. Because claims 14 and 19 are not obvious in view of Dennis, dependent claims 15-18, 20 and 21 are also not obvious in view of Dennis.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nancy R. Simon". The signature is written in a cursive, flowing style. The first name "Nancy" is written with a large, prominent "N". The last name "Simon" is written with a large, prominent "S".

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.